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THE UNIVERSITY CONGRES-
SUAL ACTION IN REGARD TO
THE LAND SUSIN FUND.

Since the publication of our article in reference to the action of the House of Representatives upon the report of the Committee on Education and Labor, made in obedience to a resolution of that body passed 23 of February of 1874, directing said Committee "to inquire into the condition and management of the agricultural and other colleges which have received grants from the United States under the act of 2d of July, 1862," we have received through the kindness of Senator Ransom a copy of the report in question.

The object for which we have been laboring for seven months is accomplished—the Legislature has called a Convention to rid us of the burdens of the Caubay Constitution.

The text of the bill, as published on yesterday, shows the Convention is what is called a restrict or Convention, that is to say, it is restricted or prohibited from doing certain things but for the restrictions imposed, it might do. We do not propose to discuss how far these restrictions may be binding on the Convention, for the reason that we do not deem the question to have any practical importance.

We feel quite sure the Convention will disregard none of the prohibitions imposed upon it.

What we propose to do this morning is to consider very briefly what restrictions upon the power of the Convention which have been imposed by the act of the Legislature. The restrictions are (1.)

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If the largest liberty were permitted it is safe to say no one would exercise it by interfering with the Homestead law.

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These liens and rights ought not to be interfered with, (3.) Not to change Sec. 3, Art. 5, of the Constitution.

This section requires taxation of the Legislature to contract any new debt or contract any new pecuniary obligation, unless it shall in the same bill levy a special tax to pay the interest annually.

It also forbids the Legislature to lend the credit of the State to any railroad or other corporation unless the same be approved by a direct vote of the people of the State.

These are proper safeguards and ought to be maintained. (5.) Not to change the ratio between the poll and property tax—that is the poll tax shall equal the tax on three hundred dollars worth of property. To this too there will be no objection, for the reason that it will prevent either poll or property from evading its due share of taxation, as one cannot be charged with out changing the other in the same proportion.

(6.) Not to vacate or abolish any office before the expiration of the term of its present incumbent.

Attention is next called to the class of States, happy few in number, in which the contract with the government has been grossly wasted and its bounty kindred benefits lost.

A bill for the sum of \$1,500,000 was passed in 200 State bonds, nominally of \$1,000 each. The largest portion of these were "specie-tax bonds."

They are now substantially valueless, and do not appear to have been regarded as worth much at the time they were issued.

It is to be regretted that the sum of \$1,000,000, not a dollar of either principal or interest is now available for the purpose of education.

A report has been forwarded to the officers of the University of North Carolina stating that the money when received was deposited in a Northern bank, adds: "In 1862 the new board of trustees received the amount thus deposited by the former board, and invested it in State bonds. These bonds were soon made valueless, no income has been derived therefrom."

Another report, received from the Superintendent of Public Instruction, in reply to the question whether the conditions of the law under which the grant was made were violated, has this to say in the manner in which the money was disposed of:

"We think that none of the conditions that a mistake was made by the trustees when they invested the proceeds of the grant in the State of North Carolina bonds, which are now in our possession for the purpose of raising revenue to support the Agricultural and Mechanical College."

The trustees have not the means at hand of doing the share of individuals in the responsibility for this discreditable transaction. Nor is it essential to the present purpose that this should be done. These persons are responsible to the State of North Carolina, and agents of the same were sent to the National Government. The State is the only party known to us in the contract under which the grant was conveyed—a contract which it has utterly kept."

At the conclusion of the report we find the following:

"The committee recommend the adoption of the following resolution:

"Resolved, That it is requested to report to the House what measures, if any, should be taken by the United States to secure from any State the fulfillment of its contract to preserve undiminished the principal of the fund derived from the grant in aid of the Agricultural and Mechanical College."

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We repeat therefore the question asked in our former article, can the Legislature, in view of all the circumstances, refuse to give to the bill now pending before the Senate the sanction necessary to make it a law? We think not. Indeed it seems to us it would be an insult as well to the common sense as to the patriotism of Senators to suppose for a moment that they could bring themselves to vote against it.

From this brief review it will be seen that the only restriction of any practical importance is the one which permits the present office-holders to serve out the terms for which they were elected. The Convention has full power to change our county and township governments, to require every voter to show his poll-tax receipt; to prevent from voting every man convicted of treason; to change our whole judicial system; the mode of electing judges and magistrates; to require the Judges to ride the circuits in rotation, and indeed to make all the other changes so much desired. The restrictions with a single exception perhaps, cover ground that no one proposed to enter upon.

YELLOW FEVER.

Dr. Frank W. Rulley, surgeon, United States Marine Hospital Service, has, in accordance with a resolution of the Senate through instructions from the Secretary of the Treasury, prepared a report of the yellow fever epidemic of 1874 as it prevailed at the various ports of the United States. The following statements are made therein:

From the month of February, 1873, until the 21st of November of the same year, there occurred 3,700 deaths from malignant or epidemic cholera. During the same period each year there occurred in round numbers, 21,000 deaths from diarrhea, dysentery, and cholera infantum. From the date of the first case, May 23, to the date of the last case, November 29, 1873, that is to say, during the same period each year there occurred 3,349 deaths from septic or epidemic yellow fever. During the same period each year there occurred in the group of malarial fevers an aggregate of 5,500 deaths. The last preceding epidemic appearance of yellow fever was in 1867, and from its subsidence up to the close of 1872 there had been an aggregate of 970 deaths from this cause, but during the same period there had been an aggregate of over 50,000 deaths from the malarial fevers. There had been no epidemic of yellow fever in the country for the six years previous, but during that period the group of diseases most resembling it carried off not less than 125,000 persons, and year by year such more or less preventable diseases as small pox, scarlet fever, typhus, enteric fever and consumption are the causes of a tolerably constant average of over 100,000 deaths per annum. The report states that absolutely nothing has been learned of the cause of the disease. The question of its earthly origin, or its importation into the Gulf States from adjacent countries in those climatic conditions, is still unsettled. Specific modes of prevention and of limita-

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Wilmingtton

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WILMINGTON, N. C., FRIDAY, MARCH 26, 1875.

Journal.

NO. 13.

THE CONVENTION BILL—A BRIEF

GLANCE AT ITS PROVISIONS.

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WILMINGTON, N. C.
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EDITORIAL CORRESPONDENCE.

YARDLEY HOUSE, March 20, 1875.

The labors of the Legislature vir-

tually closed with to-day's session, as a joint resolution has been passed to do no business on Monday, except to ratify bills and allow the Clerks to finish up their work, which has accumulated from the pressure of the past few days. The formal adjournment takes place at 12 o'clock on Monday.

I am not prepared to endorse every thing which that General Assembly has done, and indeed the same is true of all of its pre-cessors, but no more industries body has ever met in North Carolina. More important legislation has been completed by the Legislature which is now about to adjourn, than any which has previously met, at least during the present generation. The call of Convention, the act for the adjustment of the State debt, the aid to the University, the Usury act, the establishment of branch Insane Asylums at Morganton and Wilmington, the railroad legislation, the change of the State election in 1876 from August to November, as well as other very important, but less general legislation, will mark an era in the history of the State. This can be said to the credit of the General Assembly that it had the boldness to meet every issue which came up for consideration, except to make provision for the security of the State's stock in the

SOUTHERN RAILROAD. The Senate passed a bill, introduced by that noble old Roman, Mr. Hargrave, of Davidson, which seemed to meet the difficulties, and had the sanction of those Senators who had given the subject careful consideration, but was defeated in the House. That body passed a substitute to which the Senate would not assent. A Conference Committee was appointed, and four of the five members reported in favor of the Senate bill, the House, however, adjourned without concurring, and the bill failed. We regard this as a great misfortune, and may yet cause the Governor to re-assemble the Legislature. We hope, however, the necessity may not arise.

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The Legislature very wisely, I think, made an annual appropriation of seven thousand five hundred dollars in favor of the UNIVERSITY OF THE STATE, being the interest on one hundred and twenty-five thousand dollars, for which the State sold its Land Script granted by the General Government for educational purposes, corruptly squandered by the Radical Legislature of 1868-69, and which had to be returned unless applied as directed by the act of donation. I suppose with this act, we are now to work at once to re-establish the University. It will not be many years, I trust, before its halls will be again filled with the youths of our own and neighboring States, and it will become again the pride of North Carolina.

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The act is temporary and refers only to the election in 1876. If it proves acceptable to the people the next Legislature can make it permanent.

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On the contrary, he was re-elected to the office of Associate Justice of the Supreme Court, by the Legislature, in the year 1823, while Article was in full force—the first instance in the history of the State, previous to the creation of the Adjacency, of the elevation of the seat of the Supreme Court, which had served on the Superior Court.

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But if nothing else can be done now, why then we propose that as many of the people of Virginia and of the State north of us as can possibly attend, make it a point to be present at the Mecklenburg Centennial and participate in its patriotic observance. It is a great American event, and as such we should be prompt to do our duty in commemorating it. The fact that it takes place in a Southern State is also worthy of note, and its complete success cannot but be productive of the happiest consequences to the future of our common country. Let us all give at least one day to North Carolina, Mecklenburg, and on

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But if nothing else can be done now, why then we propose that as many of the people of Virginia and of the State north of us as can possibly attend, make it a point to be present at the Mecklenburg Centennial and participate in its patriotic observance. It is a great American event, and as such we should be prompt to do our duty in commemorating it. The fact that it takes place in a Southern State is also worthy of note, and its complete success cannot but be productive of the happiest consequences to the future of our common country. Let us all give at least one day to North Carolina, Mecklenburg, and on

country.

SPAVING CROPS. When planters and newspapermen figure on the subject of "spaving crops," as the Mason Messenger and Telegraph well says, they should make their estimates in more than one stampede—for home consumption and for sale. As a rule, it may truthfully be said, everything useful for home consumption is a nicely paying crop.

A quote from the remarks of Squire Whitaker, Esq., then Attorney General, who said in announcing his

decision to the oldest Judge in com-

mission, and during the ten years of Judge Gaston's incumbency, was held by that noble old Roman, Mr. Hargrave, of Davidson, which seemed to meet the difficulties, and had the same of those Senators who had given the subject careful consideration, but was defeated in the House. That body passed a substitute to which the Senate would not assent. A Conference Committee was appointed, and four of the five members reported in favor of the Senate bill, the House, however, adjourned without concurring, and the bill failed. We regard this as a great misfortune, and may yet cause the Governor to re-assemble the Legislature. We hope, however, the necessity may not arise.

The supplemental

ESTATE BILL failed to pass the House, as I predicted in a former letter, and the bill will go into operation on the 24th inst., being thirty days from its ratification. I regret that more moderation was not shown in this matter. I believe that a change so great, affecting, as well as the material interests of the State, some little time should have been given the people to prepare for the operation of the law.

The Legislature very wisely, I think, made an annual appropriation of seven thousand five hundred dollars in favor of the

UNIVERSITY OF THE STATE, being the interest on one hundred and twenty-five thousand dollars, for which the State sold its Land Script granted by the General Government for educational purposes, corruptly squandered by the Radical Legislature of 1868-69, and which had to be returned unless applied as directed by the act of donation. I suppose with this act, we are now to work at once to re-establish the University. It will not be many years, I trust, before its halls will be again filled with the youths of our own and neighboring States, and it will become again the pride of North Carolina.

The bill to change the time of holding the

ELECTION IN 1875 passed both Houses and became a law. It provides that the election for Governor and other State officers, members of the Legislature and county officers shall be held in 1876 on the Tuesday after the first Monday in November, instead of on the first Thursday in August, being the day of the Presidential election. This was necessary for several reasons. By a recent act the members of Congress hereafter to be elected on that day, and it was thought that it would be better not to have our election the first after the Presidential nominations and when all the power of the Federal government could be brought to bear to influence the result.

The act is temporary and refers only to the election in 1876. If it proves acceptable to the people the next Legislature can make it permanent.

I had the pleasure of being present yesterday at a very interesting ceremony. It was the occasion of the presentation by a few Senators of an elegant gold-banded case to the

HON. R. A. MURPHREE.

The following communication taken from the New York Freeman's Journal, will be read with interest by people in the State as well as out of it.

We present from the date and the initials with which it is signed, that it is from the pen of our distinguished fellow-citizen, EDWARD CONGOLAND, Esq.

HALIFAX, N. C., March 8, 1875.

JAMES A. MOBLASTER, Esq.:

Dear Sir—Your editorial in the Freeman of the 6th inst., entitled "The Religious Test in North Carolina,"

contains several incidental errors in our local history, of sufficient importance, perhaps, to be corrected.

The late Judge Gaston was not ex-

cluded from office by the Thirty-second Article of the old Constitution of the State.

On the contrary, he was re-elected to the office of Associate Justice of the Supreme Court, by the Legislature, in the year 1823, while Article was in full force—the first instance in the history of the State, previous to the creation of the Adjacency, of the elevation of the seat of the Supreme Court, which had served on the Superior Court.

In the Convention of 1835, of which Judge Gaston was a member, he

proposed a demonstration that the article in question did not affect his re-election to office. I will not

